

Interim Joint Committee on Education**Minutes of the 6th Meeting****of the 2003 Interim****November 3, 2003**

The 6th meeting of the Interim Joint Committee on Education was held on Monday, November 3, 2003, at 1:00 PM, in Room 149 of the Capitol Annex. Representative Frank Rasche, Chair, called the meeting to order, and the secretary called the roll.

Present were:

Members: Senator Lindy Casebier, Co-Chair; Representative Frank Rasche, Co-Chair; Senators Walter Blevins, Brett Guthrie, Alice Kerr, Vernie McGaha, R.J. Palmer II, Jerry Rhoads, Gary Tapp, and Jack Westwood; Representatives Buddy Buckingham, Hubert Collins, Jon Draud, Ted "Teddy" Edmonds, C.B. Embry Jr, Bill Farmer, Tim Feeley, Derrick Graham, Mary Harper, Mary Lou Marzian, Reginald Meeks, Charles Miller, Harry Moberly, Russ Mobley, Rick Nelson, Tom Riner, Charles Siler, Arnold Simpson, Dottie Sims, Kathy Stein, and Jim Thompson.

Guests: Roland Haun, Kentucky Association of School Superintendents; Mike Carr and Wayne Young, Kentucky Association of School Administrators; Philip Rogers, Education Professional Standards Board; Cindy Heine, Prichard Committee for Academic Excellence; Paul Blanchard, Eastern Kentucky University; Bill Leach, Kentucky Teacher Retirement System; and Dan Walton, DRC.

LRC Staff: Audrey Carr, Jonathan Lowe, Janet Stevens, Sandy Deaton, and Katie Carney.

A motion was made to approve the minutes by Representative Miller and seconded by Representative Collins. The motion was approved by voice vote.

Senator Casebier gave a report on the Subcommittee on Elementary and Secondary Education. In July 2002, the Program Review and Investigations Committee authorized a study of the Commonwealth Accountability Testing System (CATS). The committee approved the resulting report and adopted its recommendations on August 22, 2003. Program Review Analyst Erin McNess shared the major conclusions and recommendations of the final report. Commissioner Gene Wilhoit gave the Department of Education's (DOE) response. He provided the subcommittee members a handout that identified actions being taken to implement most recommendations.

During the subcommittee meeting, Richard Innes, representing the Bluegrass Institute for Public Policy Solutions, shared concerns regarding school dropout issues. He presented various formulas that might be used to obtain dropout data that is required for the No Child

Left Behind Act (NCLB).

Representative Marzian gave a report on the Subcommittee on Postsecondary Education. The subcommittee met and discussed the draft report for the study of the Kentucky Educational Education Scholarship (KEES) program, which the 2003 General Assembly directed to be conducted during the interim. After reviewing a brief summary of the findings, the committee discussed policy considerations and recommendations to be included in the final version of the report. The subcommittee will review and adopt the final version of the KEES report at its meeting on December 1, 2003. The study will be presented to the Interim Joint Committee on Education meeting in the afternoon.

Representative Buckingham gave a report on the Subcommittee on Vocational Education. The subcommittee heard from three superintendents of schools, representing Butler, Pulaski, and Laurel Counties regarding the problems of access to preparation programs in career and technical education programs for students in their respective counties. The subcommittee will hear a presentation from the Kentucky Community and Technical College System at its December 1, 2003 meeting.

Representative Rasche asked Commissioner Wilhoit to give his presentation on the midpoint report of CATS, 2003 results. Commissioner Wilhoit referred the committee to the handout that was titled Data from the 2003 State Release. He said that this document gives the changes from the last two years. He said there are now five years of data and the database is being built every year to give a clear picture of how the schools in Kentucky are doing.

Commissioner Wilhoit said that over the past two years there was growth in all three grades levels, but more dramatic growth occurred at the elementary and middle school level than at the high school. He said the elementary and middle school levels show progress within each content area and the high school level shows progress in all areas except science and social studies. He said that each grade level has registered yearly gains over the five years of CATS. He said that there are differences in achievement between subpopulations and it is more apparent as the schools raise the index scores. He said that Senate Bill 168 (2002) and the No Child Left Behind Act have put more emphasis on these areas.

Commissioner Wilhoit said that as the process moves toward the goal of 100 in each of the three content areas, schools need to lower the dropout rate at the same time. He said that there is a legislative target of five percent by 2006 and the Kentucky Board of Education (KBE) has tagged to that a continual dropout reduction until 2014.

Commissioner Wilhoit said in order to meet the goal for the 2004 biennium, schools will have to continue to meet the dropout criteria, continue to meet novice reduction requirements, and low-performing schools must dramatically raise performance.

Commissioner Wilhoit said that the academic index shows that Kentucky's elementary schools are on target for meeting the 2014 goals. He said that reading is dramatically higher

than mathematics. He said that the reading programs that have been emphasized at the elementary level appear to be working and have had support behind them. He said the impression at this point is that schools do not have solid curriculum practices in place for mathematics programs. He said that in the future, there needs to be a broader base of support in mathematics at the elementary level.

Commissioner Wilhoit said there is now a five-year trend with continuous growth over the five years at the elementary level. While there are differences in index scores by content area, there is improved performance in every content area. He said that is what you want to see in a set of trend lines for improvement.

Commissioner Wilhoit said that at the middle school level, the reading programs have improved, but mathematics is a concern. He said that not only is not having solid programs in place a problem, but there appears to be a repetitive curriculum in mathematics at the middle school level. He said that there needs to be more of a focus on moving toward algebraic and geometric skills at that level. He said that writing is also a concern at the middle school level.

Commissioner Wilhoit said that when looking at any content areas, there should be improvement over each of the years in terms of the trend lines. He said that although the middle school absolute scores are not as high as they are at the elementary level, there is improvement in every content area.

Commissioner Wilhoit said that at the high school level, the performance results have leveled off and the absolute performance levels are not as high at the other two levels. He said that at the high school level there is less of a dramatic or predictable pattern. He said that over the past two years there is a leveling off or a small decline in science and social studies. He said it is more of an erratic behavior in the content areas.

Commissioner Wilhoit said that there is a task force underway that involves the high school educators to redesign high school experiences. He said high school performance is not only a problem in Kentucky, but also at the national level. He said that some of the high school level patterns do not show a constant growth line as the elementary and middle schools levels do. He said that he thinks there is a problem in the instructional design at the high school level.

Commissioner Wilhoit said that the elimination of novice learners is a goal, and when looking at the math trend line at the elementary level, there is a concern about the percentage of novices when leaving primary. He said that the middle school trend line is still down in math and writing with too many novices. He said that at the high school level, there is 30 percent novice in mathematics, and that is a major problem. He said that it points to the need for some major initiatives in the future to deal with the mathematics curriculum and the learning process.

Commissioner Wilhoit said there is eleven years left to reach proficiency. Fourteen schools

are above the 100 mark, 82 schools are between 88 and 99 or at the highest level on their recognition points, and 35 schools are below the 55 mark. He said that some of the districts show an overall pattern that is consistent across all schools and this is positive. Commissioner Wilhoit gave some examples of districts based on accountability index that are above next year's goal.

Commissioner Wilhoit said that the most encouraging graph that can be reported on is the free and reduced lunch count. He said that if you subscribe to the idea that the primary determinant in a child's education is the parents' education and the poverty level of the child then that line would begin at 100 and trail down to low performance. He said that the trend line in Kentucky shows a remarkable pattern that indicates that high wealth districts and some high poverty districts are achieving at the same rate regardless of the demographics. He said that poverty and the educational level of adults is not the primary determinate in whether a school will achieve or not. He said the issue is high quality leadership and a set of conditions that will get students to high levels. He said that this supports the principles that the legislature put in place with education reform in Kentucky.

Commissioner Wilhoit said that the strategies are going to be different in the content areas of mathematics and reading. He said that the reading component has brought knowledge in terms of how to organize a school around intervention strategies and the state money has helped with this, although all the schools in the state have not yet gotten the program. He said that this has helped in refining what it is going to take to intervene in the learning process of the low reading students. He said that there are some programs that have a very powerful effect on these students. He said that the federal funds that will be received in 2004 will allow school wide strategies around this, but it will not target everyone.

Commissioner Wilhoit said that the question is what needs to be done to go to scale in the reading area. He said that the reading intervention should be used as a model for the mathematics program and how to develop a research base around mathematics instruction to monitor this.

Commissioner Wilhoit said that no system is above review and no system should remain static over time. He said that as assessment and accountability is implemented in Kentucky it is important to always think about new ways to improve this and to listen to educators and policy makers as this is being implemented.

Commissioner Wilhoit said there are seven areas that need improvement. The first, providing assessment tools that are used at the classroom level. He said that assessments provided by the state should be "CATS like" in terms of structure, both multiple choice and open ended responses and should be aligned with the Kentucky Program of Studies. He said this is important because observation in the low performing schools is showing that the tests that are being administered by the teachers do not resemble the kinds of goals that are being set for the students.

Commissioner Wilhoit said that if you pull assessments from the low performing schools you

will find that the questions being asked by the teachers are low level, knowledge acquisition. He said that it is no surprise that when a student is asked a question to apply knowledge on the CATS test, they are not able to do so.

Commissioner Wilhoit said that KDE can not wait for every one of the individual schools to think about this for the next four to five years. He said if intervention with state action is not taken in providing some leadership on this immediately, there will be loss of the benefit of time to turn these schools around. He said that KDE is proposing the development of snapshot assessments in reading and mathematics that would be tied to those two content areas at every grade level. He said those would be tied to the expectations that is required on the current assessment. He said the idea would be for the snapshot assessment to be geared toward the predictable level that students should be at that time. He said that this should be available at the beginning of the school year so that there is opportunity when students arrive to give them the assessment and plan instruction around it. He said that midyear is often too late to turn around the instructional programs for students that are falling behind.

Commissioner Wilhoit said that there will be two forms, multiple choice and open ended response questions that can be pulled down from an electronic data base by the teacher. He said that the state's role in this is to organize this information.

Commissioner Wilhoit said that the purpose is to better diagnose where each of the students are in the classroom, to prescribe an improvement program, and to give the teachers the tools that are aligned with the expectation levels.

Commissioner Wilhoit said that one of the problems in the low achieving schools is that the teachers have a different definition about what proficiency is than teachers in high performing schools. He said they think the students are doing well, when in fact it does not compare to the performance expectation.

Commissioner Wilhoit said that the second area is the issue of turn-around time for assessments. He said that there are two things around timing that have to be corrected in the current system. First, there is no way to meet the turn-around time frames and hold onto the high quality system we have without changing some testing procedures. Second, the current turn-around time is not good for teaching and learning. He said that the assessment is given in the spring and teachers do not get the results back until the fall. He said that the opportunity for reflection by faculty, and placement for students in the spring as well as the professional development in the summer, is lost before students come back to school.

Commissioner Wilhoit said there are two areas that KDE want to explore. First, part of the problem is moving from paper and pencil to some type of technology based assessment. He said that the paper and pencil assessment causes a great deal of delay. He said that the other end of this is on a technology-based assessment, the results would be immediate on multiple choice questions that the teachers use in the school and the state could have the results for accountability purposes.

Commissioner Wilhoit said that Kansas and Virginia are two states that are moving ahead with this. KDE is pursuing this issue and it will mean having the capacity and structure in the schools for the students to be able to take this test, but it would move many of the barriers that are being faced.

Commissioner Wilhoit said that a configuration is 4:1 students to computers. He said that Kentucky has that amount on paper, but he is not sure whether this holds true in every location.

Commissioner Wilhoit said there is an issue on how to give an assessment that covers core content but is not overburdening the students at the same time. He said that this issue has been taken to the National Technical Advisory Panel on Assessment and Accountability (NTAPAA).

Commissioner Wilhoit said that the third area that is being looked at is the longitudinal assessment component. He said that the items are being developed this year and the pilot will be in place next year, a year ahead of the federal schedule. He said that means there will then be a full assessment battery in grades three through eight in mathematics and in reading. He said that this will give KDE the capacity to look at annual yearly progress against this program.

Commissioner Wilhoit said the fourth area is the issue of exit exams. He said that his personal recommendation is not to move in that direction for a number of reasons. He said that the exit exams have lowered the standards and have run into a set of legal issues in the states that have implemented them. He said that the question is how to make sure there is a system in place to assure students move ahead and have the prerequisite skills in order to be successful. He said that instead of using CATS as a graduation requirement or putting a test on top of that, there is thought of using them as a trigger mechanism for other actions that could occur at the school level. He said that there should be a review of each students progress by the teachers and administrators at that school. He said that it would be required that additional assessments that would either affirm or refute the assessment of CATS. He said that, if it refutes CATS, then the student could move forward in the educational process, but if it affirms that the student needs more intervention, it would be required that the school put an intervention program in place for that student.

Commissioner Wilhoit introduced Mr. David Couch, Associate Commissioner of the Office of Education Technology, KDE, to give the progress report of the statewide administrative data system, the Max Enterprise Data System. Mr. Casey Adams, KDE, was also present to answer questions. Mr. Couch said that the vision of Max is to provide an interface for all interested parties and stakeholders, such as parents, students, teachers, education administrators, as well as the general public, to access detailed education data in order to make more timely and better informed decisions.

Mr. Couch said the purpose of Max is to collect and make key data available for analysis and decision making. It is a strategic system for analysis and fact-based decision making.

He said Max will enable proactive decision making. The goal of Max is to deliver a solution with the data and tools to enable KDE, the Council on Postsecondary Education (CPE), and the Education Professional Standards Board (EPSB) customers to answer their most critical business questions, such as: 1) What factors have the greatest influence on student performance; and 2) What are trends and patterns in student performance. These questions need to be answered so interested stakeholders can design the policies, programs, and procedures to establish them to reach the goals of the Kentucky Education Reform Act (KERA), and the No Child Left Behind program (NCLB).

Mr. Couch said current capabilities include providing CATS results for schools, districts, and the state. Max can provide Kentucky's Core Content Test and Kentucky Performance Reports by academic index and performance levels. Other current capabilities of the Max system include: 1) Certification – educator credentials and out of field credentials (emergency, probationary, and provisional); 2) Demographics – by district, state, enrollment by district and grade, attendance, retention, and dropout rates, and socio-economic status of students; 3) Finance – current expenses per pupil (school level); 4) Mailing labels – download, save, or print mailing labels for teachers, districts and schools, district and school staff, and other roles; 5) Profiles – district and school profile reports; and 6) Postsecondary – high school feedback reports.

Mr. Couch said the Max system will have many future capabilities as well. They include: 1) Multi-year analyses; 2) Student data tool; 3) Student level analyses; 4) Analyses across subject areas including student to teachers, finance to student performance, student courses to standards to assessments; and teacher performance to credentials, degrees; 5) Instructional planning tools for teachers – current rosters and historical test results; and analyses by cohorts to help instructional delivery; 6) Discipline and student performance; and 7) Correlation of assessments to district/state standards.

Mr. Couch said the timelines for the Max System include a redesign of nine key reports, and new educator credentials and out of field reports to be implemented by February 2004. The student data tool, analytical query prototype (KDE users only) and multi-year capability to be implemented by March 2004. He said the expanded financial, student level detail, NCLB, and advanced analytical capability will be implemented by the Fall 2004. Timeline goals for 2005 have yet to be determined.

Representative Rasche introduced Mr. Gary Harbin, Executive Director, Kentucky Teachers' Retirement System (KTRS). Mr. Harbin said KTRS is recognized as one of the finest retirement systems in the nation for teachers. The reasons for this include: 1) Defined benefit plan; 2) Multiplier of 2.5 percent/3.0 percent for service over the past 30 years; 3) Calculation of benefits based on high three salary years at age 55 and 27 years of service; 4) Comprehensive benefits including disability, survivor benefits; 5) Medical benefits - one of three teacher retirement systems in the nation providing this high level of medical benefits.

Mr. Harbin said the results of a recent actuarial experience study determined the assumption that teachers are retiring earlier and living longer with an average career being

29 years of service. He said the ratio of active teachers to retired teachers was 44 percent retired to 56 percent active in 2001.

Mr. Harbin reviewed the impact of 2002 legislative changes to the KTRS. In summary, KTRS must: 1) provide the cost of living adjustment (COLA) to keep pace with inflation (CPI) – COLA's provided keeping up with inflation; 2) provide an increase in the minimum benefit above the minimum poverty level – minimum benefit is now above the poverty level; 3) bring all teaching positions into KTRS field of membership – membership has increased by 28 percent; 4) address teacher shortage in actuarially sound way – retirements are down 24 percent and over 4,000 retirees are re-employed and are contributing members; and 5) make minor adjustments to disability - disability retirements are down 25 percent.

Mr. Harbin said the KTRS Board of Trustees has identified the main legislative item for the 2004 regular session of the General Assembly as medical insurance benefits for retirees. He said costs have dramatically increased due to: 1) a net of 1,000+ retirees each year receiving medical care; 2) medical inflation increasing at 14 percent per year; 3) the contribution rate has not increased since 1986; and 4) ratio of retired members to active members has steadily increased. He stated the funding formula needs to be changed.

With no further business before the committee, the meeting adjourned at 3:00 p.m.